

1 JOSEPH P. RUSSONIELLO, CSBN 44332  
 2 United States Attorney  
 2 JOANN M. SWANSON, CSBN 88143  
 Assistant United States Attorney  
 3 Chief, Civil Division  
 ILA C. DEISS, NY SBN 3052909  
 4 Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055  
 San Francisco, California 94102  
 6 Telephone: (415) 436-7124  
 FAX: (415) 436-7169

7 Attorneys for Defendants

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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

NISHAT KOUSAR, ) No. C 07-5221 EDL  
 Plaintiff, )  
 v. ) STIPULATION TO DISMISS; AND  
 ) ~~PROPOSED~~ ORDER  
 ROBERT MUELLER, III, Director, )  
 Federal Bureau of Investigations; )  
 GREGORY CHRISTIAN, Acting Director, )  
 Nebraska Service Center, USCIS; )  
 EMILIO GONZALES, Director, U.S. )  
 Citizenship and Immigration Services (USCIS); )  
 MICHAEL CHERTOFF, Secretary, )  
 Department of Homeland Security; )  
 PAUL CLEMENT, Acting Attorney General, )  
 Department of Justice; )  
 TERRY RICE, San Francisco Field Office )  
 Director, USCIS; )  
 Defendants. )

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On March 11, 2008, the Court granted Plaintiff's cross-motion for summary judgment in part and granted Defendants' cross-motion for summary judgment in part. In that Order, the Court asked the parties for more briefing on whether a recent policy implemented on February 4, 2008, by U.S. Citizenship and Immigration Services (USCIS), as articulated in the memorandum entitled Revised National Security Adjudication and Reporting Requirements by Michael Aytes, Associate Stipulation to Dismiss

1 Director of Domestic Operations, HQ 70/23 and 70/28.1, (attached as Exh. A) was implicated in  
 2 this case. The Federal Bureau of Immigration completed Plaintiff's name check earlier this year  
 3 and, therefore, the Aytes Memorandum was not implicated in this case. However, on March 17,  
 4 2008, USCIS approved Plaintiff's application for adjustment of status to legal permanent resident.

5 Accordingly, Plaintiff, by and through her attorney of record, and Defendants by and through  
 6 their attorney of record, hereby stipulate, subject to the approval of the Court, to dismissal of the  
 7 action in light of the adjudication of Plaintiff's adjustment of status application (Form I-485).

8 Dated: March 17, 2008

Respectfully submitted,

9 JOSEPH P. RUSSONIELLO  
 10 United States Attorney

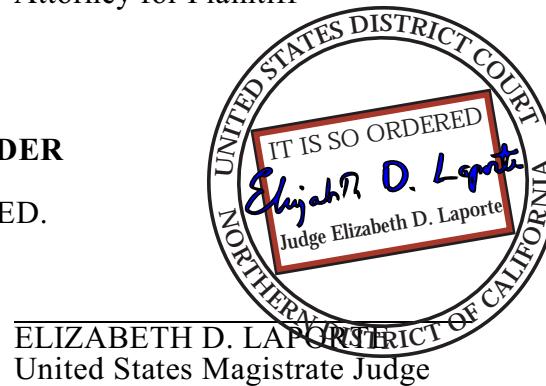
11 \_\_\_\_\_/s/  
 12 ILA C. DEISS<sup>1</sup>  
 13 Assistant United States Attorney  
 14 Attorney for Defendants

15 Dated: March 17, 2008

16 \_\_\_\_\_/s/  
 17 BEN LOVEMAN  
 18 Attorney for Plaintiff

19 ORDER

20 Pursuant to stipulation, IT IS SO ORDERED.



21 Date: March 18, 2008  
 22 ELIZABETH D. LAPORTE  
 23 United States Magistrate Judge  
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27 \_\_\_\_\_  
 28 <sup>1</sup> I, Ila C. Deiss, hereby attest that I have on file all holograph signatures for any  
 29 signatures indicated by a "conformed" signature (/S/) within this efiled document.